

The Face of EPA Negligence

Tuesday, 19 November 2002

NEW YORK - Lower Manhattan resident Ilona Kloupte is just one example of the hundreds of residents the Environmental Protection Agency continues to place in danger because of its lack of an acceptable cleanup plan for interiors still contaminated by hazardous dust from the World Trade Center collapse. Today, at a press conference inside her home, Rep. Jerrold Nadler (D-NY) detailed her case - making a stunning argument that the EPA isn't even following its own guidelines - and continued to press the EPA for immediate action.

"Ilona Kloupte is just one example of what life is like for people whose homes are contaminated with hazardous WTC debris, and who must fight with the EPA to get the agency to do its job, and do it right," said Rep. Nadler.

Immediately after 9/11, Ms. Kloupte was given was a bucket and a mop after contacting Federal agencies for help. For three days, she scooped up dust, and immediately suffered health problems. Testing found high levels of and numerous hazardous substances. Her doctor advised her not to live in this apartment under these conditions. Left to her own devices, unable to afford a comprehensive cleanup, she has been in a Red Cross Shelter ever since.

When EPA announced its Indoor Cleanup Plan in May, Ms. Kloupte signed up for the program. The EPA plan is divided into two scopes of work. Those with "minimal dust" will get Scope of Work A, which consists of HEPA vacuuming and wet wiping, but no containment measures to ensure that all the debris is picked up, and the workers and residents are not protected while the work is being done. Residents with "more than minimal dust" are given Scope of Work B, which is slightly more protective because the dust is contained, bagged and disposed of as hazardous waste and the workers and residents must wear protective gear. Amazingly, Ms. Kloupte's apartment was designated for a Scope A, despite the visible amount of dust in her apartment, which tested for high levels of hazardous materials.

"Unfortunately, the EPA continues to act in bad faith by doing everything it can to avoid a more stringent cleanup. The agency's Indoor Cleanup Plan is completely inadequate, and it is doing as little as possible, even within that faulty framework," said Rep. Nadler. "In short, these citizens are getting the most atrocious of the atrocious. To partake in this charade is to choose between being sick and being homeless."

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Rep. Nadler outlined a number of principles the EPA must follow in testing every apartment for all hazardous substances present in World Trade Center debris. Neither Scope A nor Scope B are acceptable under the following principles:

1) The agency must follow all applicable EPA and OSHA regulations for removing, containing and disposing of these hazardous substances. The workers conducting the remediation must wear protective equipment and the tenants must be protected while their buildings are being cleaned.

2) The EPA must remediate buildings as a whole, including HVAC systems, to minimize cross- and re-contamination.

3) The Indoor Cleanup Plan must be extended beyond Canal Street to include Chinatown, Brooklyn, and every other area contaminated by World Trade Center debris.

4) The EPA plan must be expanded to include commercial spaces and schools. The law mandates that the agency is responsible for ALL indoor spaces, not just residences, and it must comply with its mandate now.

5) Finally, the EPA must engage in a public and transparent process. The Agency has yet to provide the justification and documentation for how it developed its program, its risk assessment, or the detailed testing data it has conducted so far. This is a public agency, acting in the public health, and it must perform in a manner commensurate with the responsibility invested in it.

Rep. Nadler has served in Congress since 1992. He represents all areas covered by the EPA Cleanup Plan, as well as other parts of Manhattan and Brooklyn.

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